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Held at Headquarters, New York, on Thursday, 29 October 2009, at 10 a.m.

Chairperson: Mr. Penke ..... (Latvia)

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The meeting was called to order at 10.10 a.m.

Agenda item 65: Promotion and protection of the rights of children *(continued)*

(a) Promotion and protection of the rights of children *(continued)* (A/C.3/64/L.20 and Rev.1 and A/C.3/64/L.21 and Rev.1)

Draft resolution A/C.3/64/L.20: The girl child

1. **Mr. Mbuende** (Namibia), introducing draft resolution A/C.3/64/L.20 on behalf of the Southern African Development Community (SADC), said that Chile and Guatemala had become sponsors. The Convention on the Rights of the Child notwithstanding, girls continued to be victims of all forms of discrimination and violence. The draft resolution urged Member States to undertake legal reforms with a view to protecting the fundamental rights and freedoms of girls and promoting gender equality in all areas. As in previous years, the SADC hoped that with the support of Member States, the draft resolution would be adopted by consensus.

2. **Mr. Khane** (Secretary of the Committee) said that Armenia, Belarus, Cameroon, Cape Verde, the Congo, Côte d'Ivoire, Ecuador, Ethiopia, Honduras, Kenya, Kyrgyzstan, Mongolia, Nigeria, Panama, Paraguay, the Republic of Korea, Rwanda, Senegal, Sierra Leone, Timor-Leste and Uzbekistan had also become sponsors of the draft resolution.

Draft resolution A/C.3/64/L.21: Rights of the child

3. **Ms. Edblom** (Sweden), introducing draft resolution A/C.3/64/L.21 on behalf of the European Union and the Group of Latin American and Caribbean States, said that Albania, Andorra, Armenia, Australia, Bosnia and Herzegovina, Croatia, Iceland, Liechtenstein, Monaco, Montenegro, the Republic of Moldova and Serbia had become sponsors. The Convention on the Rights of the Child was the most universally ratified of the human rights instruments, and the draft resolution traditionally received broad support. The sponsors therefore hoped that it would once again be adopted by consensus.

4. The draft resolution focused on the right to be heard, a general principle which was established in article 12 of the Convention and, more recently, was the subject of General Comment No. 12, adopted at the fifty-first session of the Committee on the Rights of the Child. The substantive part of the resolution dealt with measures that Member States and other actors must take in order to enable children to exercise that right safely and meaningfully. It also reaffirmed the importance of a good education and the role of schools in promoting children's participation, and recognized the role of parents and other caregivers in that regard.

5. In order to allow for more thorough discussion of and more open consultation on the issue, the sponsors had amended the format of the draft resolution, which remained general in scope and which took a more forward-looking approach that focused on current developments; thus, it made reference to the financial crisis and to the appointment of the Special Representative of the Secretary-General on Violence against Children.

6. **Mr. Khane** (Secretary of the Committee) said that Azerbaijan, Belarus, Cameroon, Cape Verde, the Congo, Côte d'Ivoire, Croatia, the Democratic Republic of the Congo, Eritrea, Ethiopia, Ghana, Kenya, Kyrgyzstan, Liberia, Madagascar, Malawi, Mongolia, Mozambique, Namibia, the Niger, Nigeria, Norway, the Republic of Korea, Rwanda, Senegal, Sierra Leone, the former Yugoslav Republic of Macedonia, Timor-Leste and Ukraine had also become sponsors.

Agenda item 69: Promotion and protection of human rights *(continued)*

(a) Implementation of human rights instruments *(continued)* (A/C.3/64/L.22, L.23 and L.24)

Draft resolution A/C.3/64/L.22: International Covenants on Human Rights

7. **Ms. Fröberg** (Finland), introducing draft resolution A/C.3/64/L.22 on behalf of its sponsors, said that Albania, Armenia, Australia, Bolivia (Plurinational State of), Canada, Costa Rica, Croatia, El Salvador, Hungary, Ireland, Italy, Malta, Montenegro, Poland, the Republic of Moldova and Serbia had become sponsors. The draft resolution focused on recent developments in international law and, in particular, the adoption of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights by the General Assembly. The Optional Protocol had been signed by 30 countries and needed to be ratified by 10 more States in order to enter into force. The purpose of the draft resolution was to place the Optional Protocol on an equal footing with the two Optional Protocols to the

International Covenant on Civil and Political Rights and to highlight the work of the Human Rights Committee, which had recently adopted a General Comment on the obligations of States parties under the first Optional Protocol to the International Covenant on Civil and Political Rights, and of the Committee on Economic, Social and Cultural Rights, which had adopted General Comments on the right to social security and on non-discrimination in economic, social and cultural rights. Consultations were ongoing, and she hoped that the draft resolution would be adopted by consensus.

8. **Mr. Khane** (Secretary of the Committee) said that Cape Verde, the Congo, Honduras and Peru had also become sponsors.

Draft resolution A/C.3/64/L.23: Torture and other cruel, inhuman or degrading treatment or punishment

9. **Ms. Raabymagle** (Denmark), introducing draft resolution A/C.3/64/L.23 on behalf of the sponsors, said that Albania had become a sponsor and that China had been erroneously included in the list of sponsors. Recalling that freedom from torture and other cruel, inhuman or degrading treatment or punishment was a non-derogable right that must be protected under all circumstances, the draft resolution urged States to ensure that secret places of detention and interrogation were abolished and emphasized that conditions of detention must respect the dignity and human rights of detainees. It stressed the importance of cooperation between States and the three pillars of the United Nations system on the issue of torture: the Special Rapporteur of the Human Rights Council on torture and other cruel, inhuman or degrading treatment or punishment; the Committee against Torture; and the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The relevant provisions of the Universal Declaration of Human Rights notwithstanding, torture remained difficult to combat because it was so often conducted in secret.

10. It had been 11 years since Denmark had first introduced the annual omnibus resolution seeking to strengthen protection against torture. He hoped that the draft resolution would be adopted as usual with the support of all members of the Committee.

11. **Mr. Khane** (Secretary of the Committee) said that Andorra, Azerbaijan, Bolivia (Plurinational State of), Cape Verde, the Congo, Ecuador, El Salvador, Honduras, Kyrgyzstan, Micronesia (Federated States of), Mongolia, Paraguay, Peru, the Republic of Korea, the Republic of Moldova and Timor-Leste had become sponsors.

Draft resolution A/C.3/64/L.24: Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto

12. **Ms. Hill** (New Zealand), introducing draft resolution A/C.3/64/L.24 on behalf of the sponsors, said that Argentina, Brazil, Bulgaria, Chile, Colombia, Denmark, Germany, Honduras, Montenegro, Nicaragua, Nigeria, Panama, Peru, Portugal, the Republic of Moldova, San Marino, Serbia and Togo had become sponsors. The Convention on the Rights of Persons with Disabilities had gained support more rapidly than any other human rights instrument. In the past year alone, the number of States parties to the Convention had doubled, and it had already been signed by 150 countries. The straightforward text of the draft resolution highlighted the progress made. She urged delegations to support the draft resolution so that it could be adopted by an even broader consensus than the previous year.

13. **Mr. Khane** (Secretary of the Committee) said that Armenia, Austria, Azerbaijan, Benin, Cameroon, Cape Verde, Cyprus, the Congo, Egypt, El Salvador, Estonia, Ethiopia, Finland, France, Greece, India, Italy, Jamaica, Latvia, Lesotho, Lithuania, Malawi, Morocco, Namibia, Uganda, Paraguay, the Philippines, Romania, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, the former Yugoslav Republic of Macedonia, Turkey and Yemen had joined the list of sponsors.

Agenda item 61: Social development (*continued*)

(b) Social development, including questions relating to the world social situation and to youth, ageing, disabled persons and the family (A/C.3/64/L.4/Rev.1) (*continued*)

Draft resolution A/C.3/64/L.4/Rev.1: Policies and programmes involving youth

14. **The Chairperson** said that the draft resolution contained no programme budget implications.

15. **Ms. Sow** (Senegal), introducing draft resolution A/C.3/64/L.4/Rev.1 on behalf of the sponsors, said that Andorra, Armenia, Australia, Azerbaijan, Finland, the

Gambia, Hungary, Luxembourg, the Netherlands, the Niger, the Republic of Korea and Turkey had become sponsors. The priority areas of the World Programme of Action for Youth were interrelated and their implementation would promote achievement of the Millennium Development Goals, particularly those aimed at reducing poverty. She hoped that the draft resolution would be adopted by consensus.

16. **Mr. Khane** (Secretary of the Committee) announced that Albania, Angola, Belize, Benin, Bosnia and Herzegovina, Botswana, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, the Congo, Côte d'Ivoire, Croatia, Cyprus, the Czech Republic, the Democratic Republic of the Congo, Denmark, Djibouti, the Dominican Republic, Eritrea, Estonia, Ethiopia, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Iceland, India, Jordan, Kenya, Lesotho, Liberia, Liechtenstein, Lithuania, Madagascar, Malawi, Mali, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nicaragua, Nigeria, Norway, Paraguay, Philippines, Qatar, Rwanda, San Marino, Saudi Arabia, Serbia, Sierra Leone, Slovakia, South Africa, Swaziland, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Uganda, Ukraine and Uruguay had become sponsors of the draft resolution.

17. *Draft resolution A/C.3/64/L.4/Rev.1 was adopted without a vote.*

18. **Ms. Khvan** (Russian Federation) said that she welcomed the adoption by consensus of the draft resolution and thanked the sponsors for taking into account the majority of the comments made by her delegation. She noted that extremist ideologies, including neo-Nazism and neo-Fascism, were among the main threats to youth and that further efforts in that regard were particularly important on the eve of the sixty-fifth anniversary of the end of the Second World War.

Agenda item 62: Advancement of women (*continued*)

(a) Advancement of women (*continued*)
(A/C.3/64/L.16 and Rev.1, L.18 and L.25*)

Draft resolution A/C.3/64/L.18: Violence against migrant women workers

19. **Ms. Banzon-Abalos** (Philippines), introducing draft resolution A/C.3/64/L.18 on behalf of the sponsors, said that Belarus had become a sponsor. Over the past 20 years, approximately half of all migrant workers had been women. Typically, they migrated only to seek gainful employment and most worked in the least respected jobs in the informal, manufacturing and service sectors, in domestic work and in entertainment. Those were fields in which many serious human rights violations occurred. Although women migrant workers obviously made an important contribution to the development of both their countries of origin and their countries of destination, that contribution was not always fully acknowledged, a fact that impacted on the way they were regarded and treated. Women migrant workers were vulnerable at all stages of the migration process: in their countries of origin, where they could be confined physically and sexually violated by recruiting agents; during the trip, when they could be abandoned or subjected to physical and sexual abuse; in the country of destination, where many of them faced employment discrimination or performed domestic work where their privacy and well-being were not always respected and where abuse was common; and when they returned to their country of origin, where relationships with their spouses and families were sometimes difficult and where they faced possible stigmatization in their communities. Furthermore, globalization and its impact on the economy had often exacerbated the exploitation of women migrant workers.

20. The draft resolution presented basic principles for the protection of women migrant workers from abuse and sought not only to raise awareness of those women's situation, but also to provide States with guidance on how to prevent and eliminate various forms of exploitation of women migrant workers.

21. **Mr. Khane** (Secretary of the Committee) said that Benin, Bolivia (Plurinational State of), Burundi, Chile, Côte d'Ivoire, the Democratic Republic of the Congo, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, the Gambia, Guatemala, Guinea, Honduras, Namibia, Nicaragua, Nigeria, Paraguay, Peru, Senegal, Sri Lanka, Timor-Leste, Uganda, Zambia and Zimbabwe had become sponsors of the draft resolution.

Draft resolution A/C.3/64/L.16/Rev.1: Intensification of efforts to eliminate all forms of violence against women

22. **The Chairperson** said that the draft resolution contained no programme budget implications.

23. **Ms. Samson** (Netherlands), introducing draft resolution A/C.3/64/L.16/Rev.1 on behalf of the sponsors, said that Argentina, Armenia, the Republic of

Moldova and Tanzania had become sponsors. The draft resolution, which addressed primarily institutional issues, focused on the efforts of organizations of the United Nations system to eliminate violence against women. Its sponsors urged States and other stakeholders to increase their voluntary contributions to the Trust Fund in Support of Actions to Eliminate Violence against Women, in order to meet the annual target of 100 million dollars by 2015. They welcomed the establishment of the Secretary-General's database on violence against women and requested the support of Member States and relevant United Nations entities.

24. At the informal consultations, there had been a general preference that the draft resolution should continue to focus on all forms of violence against women. It had therefore been decided not to include some of the proposed amendments, including the one presented in document A/C.3/64/L.25*. She hoped that the draft resolution would be adopted by consensus.

Draft resolution A/C.3/64/L.25: Intensification of efforts to eliminate all forms of violence against women*

25. **The Chairperson** said that the draft resolution had no programme budget implications.

26. **Mr. Hassan** (Sudan), speaking on behalf of the Group of Arab States, introduced the amendment to draft resolution A/C.3/64/L.16/Rev.1 contained in document A/C.3/64/L.25* and recalled that the wording of the draft amendment had previously been agreed as contained in General Assembly resolution 63/155, adopted by the Third Committee. The Group considered it necessary to refer specifically to situations of armed conflict and foreign occupation, which required close attention. Representatives of the Group had participated in consultations organized by the sponsors of draft resolution A/C.3/64/L.16/Rev.1 and had proposed the draft amendment, which was not reflected in the final draft and was thus, in their opinion, incomplete.

27. **Ms. Samson** (Netherlands) said that her country and France, as the main sponsors of draft resolution A/C.3/64/L.16/Rev.1, regretted that a draft amendment had been submitted. During the informal consultations, which had been conducted in a transparent manner, the Syrian Arab Republic's proposed amendment, contained in document A/C.3/64/L.25*, had been discussed but not agreed upon. Document A/C.3/64/L.16/Rev.1 was a draft resolution of a procedural nature that focused on efforts of the United Nations system to eliminate all forms of violence against women and had been drafted on the basis of General Assembly resolution 62/133 and of the report of the Secretary-General (A/64/151), while Assembly resolution 63/155 was addressed primarily to States. The draft aimed to address all forms of violence against women rather than one form in particular. The Syrian proposal had not been accepted during the informal consultations because it risked shifting the balance of the text by highlighting only certain circumstances in which violence against women occurred rather than stressing that the United Nations system should intensify its efforts to eliminate all forms of violence against women. Since the Group of Arab States had not joined the consensus, the Netherlands and France called for a recorded vote on the draft amendment contained in document A/C.3/64/L.25* and would vote against it for the reasons mentioned.

28. **Ms. Phipps** (United States of America), speaking in explanation of vote before the voting, said that while it was true that the text of the amendment introduced by the Group of Arab States was agreed wording, draft resolution A/C.3/64/L.16/Rev.1 focused on the efforts of the United Nations system to combat violence against women rather than on measures taken by States. Her delegation, like other sponsors of the resolution, would vote against inclusion of the amendment introduced by the Group and contained in document A/C.3/64/L.25*.

29. **Mr. Pérez** (Peru) said that his country condemned all acts of violence against women. It stood in solidarity with the victims and understood their vulnerability in situations of armed conflict. However, the objective of draft resolution A/C.3/64/L.16/Rev.1 was to highlight advances made by the United Nations system in eradicating all forms of violence against women. Although Peru continued to support the position taken in the amendment, it would vote against draft resolution A/C.3/64/L.25*.

30. *A recorded vote on the amendment to draft resolution A/C.3/64/L.25* was taken.*

In favour:

Algeria, Bahrain, Bangladesh, Belarus, Bolivia (Plurinational State of), Brazil, Brunei Darussalam, China, Cuba, Democratic People's Republic of Korea, Democratic Republic of the

Congo, Djibouti, Dominican Republic, Ecuador, Egypt, Eritrea, Gambia, India, Indonesia, Iran (Islamic Republic of), Iraq, Jordan, Kuwait, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malaysia, Mauritania, Morocco, Myanmar, Nicaragua, Oman, Pakistan, Philippines, Qatar, Russian Federation, Saudi Arabia, Senegal, Singapore, South Africa, Sudan, Swaziland, Syrian Arab Republic, Tajikistan, Thailand, Tunisia, United Arab Emirates, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zimbabwe.

Against:

Albania, Andorra, Angola, Australia, Austria, Belgium, Bulgaria, Burundi, Canada, Chile, Colombia, Congo, Croatia, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Lithuania, Luxembourg, Malawi, Malta, Micronesia (Federated States of), Monaco, Mongolia, Montenegro, New Zealand, Norway, Panama, Paraguay, the Netherlands, Peru, Poland, Portugal, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America.

Abstaining:

Antigua and Barbuda, Argentina, Bahamas, Barbados, Belize, Benin, Bhutan, Botswana, Cape Verde, Costa Rica, Côte d'Ivoire, Dominica, Ethiopia, Grenada, Guinea, Guyana, Jamaica, Kenya, Liechtenstein, Maldives, Mali, Mexico, Mozambique, Namibia, Nepal, Niger, Nigeria, Republic of Korea, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Serbia, Sri Lanka, Switzerland, Suriname, Timor-Leste, Trinidad and Tobago, Uganda, United Republic of Tanzania, Zambia.

31. *The proposed amendment contained in draft resolution A/C.3/64/L.25* was rejected by 60 votes to 52, with 40 abstentions.*

32. **Mr. Suárez** (Colombia) said that his country had voted against the amendment because, although it contained agreed language, it had been clear during the consultations that document A/C.3/64/L.16/Rev.1 was a procedural resolution that focused on the work of the United Nations system.

33. **Ms. Ivanović** (Serbia) said that as a sponsor of draft resolution A/C.3/64/L.16/Rev.1, her delegation regretted that it had been necessary to submit a new amendment. However, she recognized the importance of the issue raised by the Group of Arab States, and, for that reason, her delegation had abstained from voting on the amendment.

34. **Mr. Khane** (Secretary of the Committee) said that Algeria, Antigua and Barbuda, Austria, Bahamas, Belize, Burkina Faso, Burundi, Cape Verde, Cyprus, Dominica, Dominican Republic, Ecuador, Ethiopia, Grenada, Guyana, Haiti, India, Israel, Jamaica, Mali, Mexico, Monaco, Namibia, Nicaragua, Nigeria, Philippines, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Slovakia, Thailand, Timor-Leste, Trinidad and Tobago, Ukraine, United States of America, Uruguay and Zambia had become sponsors of the draft resolution.

35. **Ms. Sapag** (Chile) said that draft resolution A/C.3/64/L.16/Rev.1 was a priority for her delegation and that, since the adoption of General Assembly resolution 61/143, the United Nations system had made many efforts to combat all forms of violence against women. She thanked the bodies of the United Nations system that were promoting initiatives in that area, such as the Secretary-General's database on violence against women and the Say NO — UNiTE to End Violence against Women campaign. The draft resolution stressed the need to make voluntary contributions to the Trust Fund in Support of Actions to Eliminate Violence against Women. The text was well balanced since it addressed all forms of violence; to draw such distinctions among them would lead to failure.

36. *Draft resolution A/C.3/64/L.16/Rev.1 was adopted.*

37. **Ms. Halabi** (Syrian Arab Republic) said that her delegation had joined the consensus but was deeply concerned about the refusal to insert a paragraph that was already part of the draft resolution adopted the previous year. It had introduced the amendment on situations of armed conflict and foreign occupation on behalf of the Group of Arab States in order to emphasize that in certain difficult circumstances, it was necessary to step up efforts in accordance with the

Charter of the United Nations, international humanitarian law and international human rights law. The sponsors of the draft resolution had turned a deaf ear and had made weak arguments motivated by personal interests, thereby hampering achievement of the noble goal of eliminating all forms of violence against women in all circumstances. To say that the text was a procedural resolution on the work of the United Nations system was far from the truth. In addition, the amendment concerned the responsibility of the United Nations, which applied also to occupied territories.

38. **Mr. Rastam** (Malaysia) said that while his delegation understood the approach taken by the sponsors of draft resolution A/C.3/64/L.16/Rev.1, it strongly supported the principles contained in the proposed amendment (A/C.3/64/L.25*) and believed that they should not have been rejected. The elimination of violence against women was a priority for his Government, which had a zero tolerance policy in that regard. Although Malaysia had voted for the proposed amendment contained in draft resolution A/C.3/64/L.25*, it supported draft resolution A/C.3/64/L.16/Rev.1 as a whole and had joined the consensus.

39. **Mr. Sparber** (Liechtenstein), speaking also on behalf of Andorra, Costa Rica and Switzerland, noted that draft resolution A/C.3/64/L.16/Rev.1 concerned United Nations efforts to eliminate violence against women. The fight against impunity must be at the centre of action by any United Nations agency confronting violence against women in the field, for impunity perpetuated the cycle of violence. The draft resolution should therefore have reflected the international community's commitment to accountability and to combating impunity, which were essential elements of United Nations efforts. His delegation had expected that the amendments it had proposed during the informal consultations would be incorporated into the draft resolution. Moreover, it had urged that more time should be spent on consultations and had suggested that the main sponsors should postpone action. It was nonetheless gratified that the draft resolution had been adopted without a vote and hoped to be able to join the sponsors in 2010.

The meeting rose at 11.40 a.m.